

REMARKS

The Examiner objected to the drawings as failing to comply with 37 CFR §1.84(p)(5) because they did not include the following reference signs mentioned in the description: particle of dirt **D** (page 7, line 15). With reference to the replacement sheet attached hereto it is noted that the drawing has been amended to include reference to the particle of dirt **D** in each of figures 3A-3F. Therefore, applicant believes that the objection has been overcome and respectfully requests that the Examiner withdraw the objection to the drawings.

Claims 1, 5 and 7 were objected to due to informalities. Claim 1, line 3 was objected to due to the fact the term “a lower most region” was unclear as to what it was referring to. Claim 1 has been amended to state “a lower most region of the brush”.

Claim 5 was objected to because it depended upon itself. Claim 5 has been amended to depend upon claim 4. Claim 5 (line 3) lacked proper antecedent basis for “said deflector”. Claim 5 has been amended to now state “said blade like member”.

Claim 7 (lines 8-9) it was unclear as to what the term “an angular distance” was referring to. This phrase has been amended to state “an angular distance from the point at which the bristles touch the surface to be cleaned.”

Applicant believes that these amendments resolve all the Examiner’s objections to the claims and therefore asks that these objections be withdrawn.

Claim 1 was rejected under §103 as unpatentable over Kaulig (U.S. Patent No. 4,624,025). The Examiner states the provision of rollers to merely support the housing is old and well known in the sweeping device art and well within the competence of one of ordinary skill to merely add more support and improve mobility for the housing.

Kaulig discloses a floor cleaning apparatus having brush rollers wherein the two rollers have “carpet deflectors” (1). These carpet deflectors (1) comprise tooth shaped elements. As can best be seen in Figure 3 a series of such isolated tooth shaped elements are spaced along the length of the housing. Most significantly, these are disposed facing the dirt receiving opening, such that they are on the downstream side of the brush. In view of their tooth like construction any deflection of bristles would act only on the very few bristles located at the position of the deflectors (see for example column 2, lines 14-17 of Kaulig which states that the deflectors “are so constructed that they only press the bristles apart when they are rotating in the immediate zone

of the deflectors”). There is obviously no suggestion that any bristle deflecting mechanism could be employed on the opposite side of the brush rollers since if so arranged then the deflectors would not serve the required purpose of preventing corners or edges of carpet being pushed into the housing of the brush rollers and thereby suffering damage (column 1, lines 29-31 of the Kaulig reference).

Moreover, the structure that would result from the Examiner’s proposed combination does not meet the term of amended claim 1. Such claim as amended recites “deflecting means are arranged adjacent the brush and extending into the bristles at an angular distance behind the point at which the bristles touch the surface to be cleaned relative to a direction of rotation.” By contrast, Kaulig’s protective device for floor cleaning apparatus discloses carpet deflectors disposed facing the dirt receiving opening such that they are on the downstream side of the brush. Therefore, the combination that would result would still lack deflecting means arranged adjacent the brush and extending into the bristles at an angular distance behind the point at which the bristles touch the surface to be cleaned relative to the direction of rotation as required by amended claim 1. Therefore, claim 1 as amended is patentably distinct from the Kaulig reference.

Claims 2-6 depend from allowable base claim 1, therefore claims 2-6 are felt patentably distinct over Kaulig.

Similar arguments can be made for claims 7-15, therefore claims 7-15 are felt patentably distinguishable over Kaulig.

Claims 2, 3, 8 and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kaulig in view of Keller (U.S. Patent No. 4,031,659). The Examiner states that it would have been obvious to one of ordinary skill to have provided Kaulig’s appliance with roller means comprising a first pair of wheels and a second pair of wheels all engaging a surface to be cleaned and the rotary brush being coaxial with and connected to the first pair of wheels to rotate therewith as taught by Keller to add mobility and stability to the sweeping appliance. Claims 2 and 3 depend from allowable base claim 1 and claims 8 and 9 depend from allowable base claim 7, therefore claims 2, 3, 8 and 9 are felt patentably distinguishable over Kaulig in view of Keller for at least the reasons discussed above.

Claim 15 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kaulig in view of Worwag (U.S. Patent No. 5,920,939). The Examiner states that it would have been


obvious to one of ordinary skill to have provided Kaulig's sweeping appliance with a ramp and downwards as taught by Worwag to facilitate the sweeping up of debris. Claim 15 depends from allowable base claim 7, therefore claim 15 is felt patentably distinguishable over Kaulig in view of Worwag for at least the reasons discussed above.

In light of the above, applicant respectfully submits that claims 1-15 are in condition for allowance. As these are the only claims pending in the application, issuance of a Notice of Allowance is courteously solicited.

The application presents two independent claims and 15 total claims. Please treat any communication filed at any time in this application, requiring a petition for an extension of time under 37 CFR 1.136(a) towards timely submission as incorporating a proper petition for an extension of the appropriate length of time. If any additional fees are required to enter the present amendment, applicant hereby authorizes the office to charge our Deposit Account No. 061910. If the Examiner feels prosecution of the present application can be materially advanced by telephonic interview the undersigned would welcome a call at the number listed below.

Respectfully submitted,

Dated: 12/02/05



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DRAWINGS

Enclosed are replacement Figures 3(a)-3(f), which will replace all prior versions of the figures in the application.

Attachment: Replacement sheet